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LETTER DATED 8 AUGUST 1995 FROM THE PERMANENT REPRESENTATIVE OF BURUNDI TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that the Government of Burundi has taken note with great interest of the contents of the report of the Secretary-General of the United Nations and of his recommendations contained in document S/1995/631 of 28 July 1995.

The political partners in Burundi still hope that an international judicial fact-finding commission will be established, with the objectives that were clearly defined by article 36 of the Convention on Governance of 10 September 1994 (see document A/50/94-S/1995/190, annex).

For its part, the Government of Burundi, with a view to closer collaboration with the Security Council on this sensitive case, has set up a national interministerial technical commission to draw up the terms of reference of the international judicial fact-finding commission to be established. This team has just submitted its conclusions, which will be brought to the attention of the members of the Council as soon as possible. These conclusions are very similar to the overall terms of reference put forward by Mr. Pedro Nikken.

The Security Council would, for the time being, be well advised to adopt only a resolution establishing the international judicial fact-finding commission, whose terms of reference will be finalized in consultation with the competent Burundian authorities.

Furthermore, the Government of Burundi is ready to look favourably upon the appointment of the three members of the Commission, but earnestly desires to be consulted beforehand with regard to the candidates.

Lastly, it is clear that the Council, in taking action, must constantly bear in mind that the Government of Burundi will at the final stage exercise its sovereign right to try the persons presumed guilty at the conclusion of this inquiry.

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I should be grateful if you would have this letter distributed as a document of the Security Council and circulated to its members.

(Signed) Tharcisse NTAKIBIRORA
Ambassador
Permanent Representative